

TITLE V PERMIT COMMENT ADDENDUM

Engineer: René Toledo
Company Name: Yolo County Central Landfill
Permit Number: F-01392-4
Date: March 4, 2011

A. Public Comments:

The public notice was published on November 19, 2010, in the Woodland Daily Democrat (see attached notice). The 30-day public comment period ended on December 19, 2010. No comments were received from the general public during the comment period.

B. Source Comments:

As discussed above, the public notice began on November 19, 2010, and ended on December 19, 2010. No formal written comments were received from the source during the comment period. However, the source did verbally request that explicit reporting periods and submittal deadlines be included in the applicable reporting conditions of P-15-05(a). As such, the District has amended the following conditions of ATC C-07-164 (to be implemented into PTO P-15-05(a)) to include explicit dates. To ensure that no reporting period is extended or lapsed, the dates used in each condition have been based on the source's last report submittal. The submittal dates of the NMOC related testing reflect the 60 day report submittal requirements of Condition II.C.6. Lastly, since the proposal of the renewed Title V permit PTO P-15-05 has been superseded by the requirements of PTO P-15-05(a), the Title V permit has been revised to remove all conditions pertaining to PTO P-15-05.

Conditions II.C.3 and II.C.4 - Surface Emission Monitoring Report

The surface emission monitoring report was last submitted on November 17, 2010, for the six (6) month monitoring period between July 1, 2010 to December 31, 2010. The revised condition reads:

The Permit Holder shall perform surface emission testing at the landfill at least once every six (6) consecutive calendar months. Unless otherwise approved in writing by the District, the following shall apply:

- a. The first six (6) month monitoring period will begin on January 1 and end on June 30, and the report will be due by July 31; and*
- b. The second six (6) month period will begin on July 1 and end on December 31, and the report will be due on January 31. [District Rule 3.4/C-07-164]*

The Permit Holder may reduce the surface emission testing frequency to a twelve (12) consecutive calendar month period, after the completion of two (2)

successive semi-annual tests without an exceedance of the 500 ppmv standard, other than non-repeatable momentary readings. Subsequent exceedances of the 500 ppmv emission concentration shall result in the re-establishment of the six (6) month testing frequency. A non-resettable momentary reading shall be defined as a portable hydrocarbon detection test instrument reading which persists for less than five (5) seconds and does not recur when the sampling probe is placed in the same location. [District Rule 3.4/C-07-164]

Condition II.D.1 - NMOC Emission Rate Reporting

The NMOC emission rate report was last submitted on March 11, 2010, for the testing that was conducted on February 18, 2010. The revised condition reads:

The Permit Holder shall submit a NMOC (Tier 2) report to the District using the procedures specified in 40 CFR Part 60.754(a) at least once every twelve (12) months, except as provided in 40 CFR Part 60.757(b)(1)(ii) or 40 CFR Part 60.757(b)(3). Unless otherwise approved in writing by the District, testing shall be complete by February 28 and the report will be due by April 30. [District Rule 3.4, 40 CFR Part 60.752(b)(1), and 40 CFR Part 60.757(b)(3)/C-07-164]

Condition II.D.4 - Moisture Report

The moisture report was last submitted on November 3, 2010, for the six (6) month monitoring period between April 5, 2010 to October 5, 2010. The monitoring explicit monitoring periods have been selected so as to not allow for a reporting gap between reporting on PTO P-15-05 and PTO P-15-05(a). The revised condition reads:

The Permit Holder shall submit the moisture report to the District for the anaerobic non-conventional WMUs in accordance with 40 CFR 63.1980, at least once every six (6) months until such time that liquid addition has permanently ceased. Unless otherwise approved in writing by the District, the following shall apply:

- a. The first six (6) month monitoring period will begin on April 1 and end on September 30, and the report will be due by November 30; and*
- b. The second six (6) month period will begin on October 1 and end on March 31, and the report will be due on May 31. [District Rule 3.4/C-07-164]*

C. CARB Comments:

On November 16, 2010, the District mailed hard copies of the proposed Title V permit renewal documents to the CARB office, and emailed electronic copies to Project Assessment Branch Chief Mike Tollstrup and Specialist Arthur Diamond. It is expected that the 45-day regulatory review period began on November 16, 2010, and ended on December 30, 2010. No comments were received from ARB during the comment period.

D. U.S. EPA Comments:

On November 11, 2010, the District mailed hard copies of the proposed Title V permit renewal documents to the U.S. EPA, Region IX offices (EPA), and emailed electronic copies to Air Division - Permits Office Chief Gerardo Rios and Reviewer Roger Kohn. As acknowledge by Mr. Kohn, the 45-day regulatory review period began on November 12, 2010 and ended on December 27, 2010.

On December 20, 2010, the District received Roger Kohn's comments (see attached). Since his comment letter addressed several on-going Title V projects, the following comments specifically pertain to this renewal project. The following is a summary of EPA's comments and the District's responses.

Comment 1: *(Comment Letter Item 1)* EPA's comment begins by recommending that all affected permits be amended to include the applicable provisions of 40 CFR Part 60 - Subpart A (General Provisions) and/or 40 CFR Part 63 - Subpart A (General Provisions), then makes specific recommendations concerning another Title V permit for a different stationary source.

Response 1: The District has addressed EPA's applicable recommendations in its response to Comment 2 (below).

Comment 2: *(Comment Letter Item 2)* The permit should be amended to include the applicable provisions of 40 CFR Part 60 - Subpart A (General Provisions). EPA recommends that the District determine which provisions apply to the source and then amend the permit to include these requirements in a list containing the applicable section citations and a brief description.

Response 2: The District agrees with the comment and has revised the Title V Permit to include three (3) additional conditions requiring compliance with the applicable General Provisions of 40 CFR Part 60 - Subpart A. The District has also updated three (3) conditions that contain streamline versions of the General Provisions. The District will place each of the following conditions in the appropriate sections of the permit.

Condition II.C.6 - Part 60.8(d) - (Performance Test Notification)

The rule citation of Condition II.C.6 has been amended to include a reference to Part 60.8(d).

The District must be notified prior to any NMOC related sampling event and a protocol must be submitted for approval fourteen (14) days prior to sampling. Unless otherwise noted, the results of a sampling event shall be submitted to the District within sixty (60) days of the sample date. The protocol and report shall be mailed to the attention of the Supervising Air Quality Engineer. [District Rule 3.4 and 40 CFR Part 60.8(d)/C-07-164]

Condition III.D.11 - Part 60.8 - (Performance Test)

The Permit Holder shall comply with the performance testing provisions contained in the following sections of 40 CFR Part 60 - Subpart A:

- a. Part 60.8(c) - Representative operation of an affected source during any performance tests; and*
- b. Part 60.8(f) - Performance test run requirements. [40 CFR Part 60.8]*

Condition III.D.12 - Part 60.11 (Compliance with the Standards and Maintenance Requirements)

The Permit Holder shall comply with the performance testing provisions contained in the following sections of 40 CFR Part 60 - Subpart A:

- a. Part 60.11(a) - Compliance with non-opacity standards;*
- b. Part 60.11(d) - Minimization of emissions through good maintenance and operating practices;*
- c. Part 60.11(f) - Resolution of conflicting subpart provisions; and*
- d. Part 60.11(g) - Determination of compliance using creditable evidence and information. [40 CFR Part 60.11]*

Condition III.D.13 - Part 60.9 (Availability of Information)

The availability to the public of information provided to, or otherwise obtained by, the Administrator under 40 CFR Part 60.9 shall be governed by 40 CFR Part 2. (Information submitted voluntarily to the Administrator for the purposes of 40 CFR Part 60.5 and 60.6 is governed by 40 CFR Parts 2.201 through 2.213 and not by 40 CFR Part 2.301. [40 CFR Part 60.9])

Condition III.C.1 - Part 60.12 (Circumvention)

The condition's rule citation has been amended to include Part 60.12 since the circumvention requirements have been streamlined with the requirements of Rule 2.17.

The Permit Holder shall not build, erect, install or use any article, machine, equipment, or other contrivance, the use of which, without resulting in a reduction in the total release of air contaminants to the atmosphere, reduces or conceals an emission which would otherwise constitute a violation of Division 26, Part 3 and Part 4 of the Health and Safety Code of the State of California or District Rules or Regulations. [District Rule 2.17 and 40 CFR Part 60.12]

The source is not currently subject to any provisions contained in 40 CFR Part 63 (National Emission Standards for Hazardous Air Pollutants). Therefore, the permit will not contain any provisions of Part 63. It should be noted that the proposed Statement of Basis erroneously stated that the provisions of Subpart AAAA (Municipal Solid Waste Landfills) had been subsumed by the requirements of Rule 3.1 and 3.4, respectively (see Rule Requirements #1 and #2 of Subpart AAAA). Specifically, the Rule 3.1 and Rule 3.4 conditions of PTO P-15-05 and

P-15-05(a) (respectively) prohibit the operation of any anaerobic non-conventional waste management units (WMUs) with an average moisture content of or greater than 40% by weight. Therefore, none of the WMUs meet the definition of "bioreactor" and the landfill is not subject to the provisions of the subpart. As such, the rule citations of Conditions II.B.3 and II.D.8 (respectively) have been amended to remove any reference to 40 CFR Part 63 -Subpart AAAA.

The Permit Holder shall operate the anaerobic non-conventional WMUs with an average moisture content of less than 40% by weight. [District Rule 3.4/C-07-164]

The Permit Holder shall submit a moisture report to the District for the anaerobic non-conventional WMUs documenting the average moisture content by weight using the procedures specified in 40 CFR Part 63.1980(g) and (h) or other District approved methods. [District Rule 3.4/C-07-164]

Comment 3: *(Comment Letter Item 4)* The compliance certification conditions of the renewed permit should be amended to further increase their practical enforceability and prevent any lapse or extension of reporting periods when transferring between the current permit and the renewed version.

Response 3: The District agrees with the comment and has revised the proposed Title V Permit's compliance certification and semi-annual monitoring conditions to include specific reporting period and submittal dates. In order to ensure that no certification or monitoring deadlines are extended or lapsed, the District has included two additional conditions that require the source to submit each of the respective reports for the operating period between the last submittal (October 19, 2010) and the start of the new certification period (January 2, 2011). The revised reporting conditions read:

Condition IV.E.1 - Annual Certification Requirements:

The annual certification report was last submitted on February 16, 2011, for periods between February 16, 2010 and February 15, 2011.

The Responsible Official shall submit a compliance certification to the U.S. EPA and the APCO every twelve (12) months unless required more frequently by an applicable requirement. The twelve (12) month period will begin on January 1 and end on December 31, and will be due by January 31 for the previous reporting year, unless otherwise approved in writing by the District. All compliance reports and other documents required to be submitted to the District by the responsible official shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

Upon the issuance of this renewed Title V Operating Permit, the Permit Holder shall submit an annual compliance certification to the U.S. EPA and the APCO for the periods between February 16, 2011 and March 6, 2011. This annual compliance certification shall certify compliance with the requirements of Title V Operating Permit F-1392-2, and will be due by April 30, 2011. The following annual compliance certification shall begin on March 7, 2011 and end on December 31, 2011, and shall be due by January 31, 2012. [District Rule 3.8, §302.14(a)]

Condition IV.L.2 - Semi-Annual Monitoring Report

The semi-annual monitoring report was last submitted on February 16, 2011, for periods between August 16, 2010 and February 15, 2011.

A semi-annual monitoring report shall be submitted at least once every six (6) consecutive calendar months and shall identify any deviation from permit requirements, including that previously reported to the APCO pursuant to Section 302.7(a) of Rule 3.8. Unless otherwise approved in writing by the District, the following shall apply:

- a. The first six (6) month monitoring period will begin on January 1 and end on June 30, and the report will be due by July 31 of the reporting year; and*
- b. The second six (6) month period will begin on July 1 and end on December 31, and the report will be due on January 31 of the following calendar year.*

Upon the issuance of this renewed Title V Operating Permit, the Permit Holder shall submit a semi-annual monitoring report to the U.S. EPA and the APCO for the periods between February 16, 2011 and March 6, 2011. This semi-annual monitoring report shall certify compliance with the requirements of Title V Operating Permit F-01392-2, and will be due by April 30, 2011. The following semi-annual report shall begin on March 7, 2011 and end on June 30, 2011, and shall be due by July 31, 2011. [District 3.8, §302.7(b)]

Comment 4: *(Comment Letter Item 5)* EPA understands that the landfill while operating under the provisions of PTO P-15-05(a) will only be subject to the NMOC emission rate testing and reporting requirements of Subpart WWW (Standards of Performance for Municipal Solid Waste Landfills), based on the landfill's: (1) current size; (2) its proposed expansion (e.g., modification approved under ATC C-07-164); and (3) its calculated NMOC emission rate for the next five (5) operating years is expected to be below the 50 Mg/year threshold. EPA requests that the applicable testing frequency provisions of Subpart WWW be included in the final permit.

Response 4: The District agrees with the comment and has revised the proposed Title V permit to include the testing frequency provisions of 40 CFR Part 60.757(b)(1)(ii). The Conditions II.D.2 reads:

If the estimated NMOC emission rate as reported in the annual report to the District is less than 50 Mg per year in each of the next five (5) consecutive years, the Permit Holder may elect to submit an estimate of the NMOC emission rate for the next 5-year period in lieu of the annual report. This estimate shall include the current amount of solid waste-in-place and the estimated waste acceptance rate for each year of the five (5) years for which an NMOC emission rate is estimated. All data and calculations upon which this estimate is based shall be provided to the District. This estimate shall be revised at least once every five (5) years. If the actual waste acceptance rate exceeds the estimated waste acceptance rate in any year reported in the 5-year estimate, a revised 5-year estimate shall be submitted to the Administrator. The revised estimate shall cover the 5-year period beginning with the year in which the actual waste acceptance rate exceeded the estimated waste acceptance rate. [40 CFR Part 60.757(b)(1)(ii)/C-07-164]

E. Recommendation:

Issue the amended version of the renewed Title V permit.

Engineer: Rene Zolud Date: 03/07/2011

Reviewed By: Susan K O'Neale Date: 3/7/11

Woodland Daily Democrat

711 Main Street
Woodland, CA 95695
530-406-6223
legals@dailydemocrat.com

YOLO-SOLANO AIR QUALITY MANAGEMENT DISTRICT
:VR
2133557
1947 GALILEO COURT, STE 103
DAVIS CA 95618

PROOF OF PUBLICATION (2015.5 C.C.P.)

STATE OF CALIFORNIA
County of Yolo

FILE NO. Public Notice, Yolo Count

The Daily Democrat

A newspaper of general circulation, printed and published daily in the City of Woodland, County of Yolo, and which newspaper has been adjudged a newspaper of general circulation as defined by the Superior Court of the County of Yolo, State of California, under the date of June 30, 1952, and in accordance with the provisions of Title 1, Division 7, of the government Code of the State of California; that the notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

11/19/2010

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated at Woodland, California,
this 2nd day of December 2010


Signature

This space is for the County Clerk's Filing Stamp

Legal No.

0003761584

RECEIVED DEC 06 2010

NOTICE OF PRELIMINARY DECISION
FOR THE PROPOSED
RENEWAL OF A
TITLE V OPERATING
PERMIT

NOTICE IS HEREBY GIVEN that the Yolo-Solano Air Quality Management District solicits public comment on the proposed renewal of a Title V operating permit issued to the Yolo County Central Landfill, operating at 44090 County Road 28H in Woodland, California.

The District's analysis of the legal and factual basis for this proposed action, the proposed permit, and the complete application are available for public inspection at the District office, located at the address below. This will be the public's only opportunity to comment on the specific conditions of the proposed renewed Title V permit. If requested by the public, the District shall hold a public hearing regarding issuance of this renewed permit. For additional information please contact René Toledo at (530) 757-3650. Written comments on this project must be submitted within 30 days of the publication date of this notice to Susan K. McLaughlin, Supervising Air Quality Engineer, Yolo-Solano Air Quality Management District, 1947 Galileo Court, Suite 103, Davis, California, 95618.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street
San Francisco, CA 94105-3901

RECEIVED DEC 20 2010

December 15, 2010

Susan McLaughlin
Supervising Air Quality Engineer
Yolo-Solano Air Quality Management District
1947 Galileo Ct., Ste 103
Davis, CA 95618

Re: EPA Comments on Proposed Renewal of Title V Operating Permits for California State Prison – Solano, Leer West, University of California – Davis, Insulfoam, Yolo County Central Landfill, and CalPeak Power

Dear Ms. McLaughlin:

Thank you for the opportunity to review the Yolo-Solano Air Quality Management District's ("District") proposed title V operating permit renewals for the six sources listed above.

We have enclosed our comments. As we discussed with you, we want to work with the District to ensure that the final Leer West permit contains all applicable National Emission Standards for Hazardous Air Pollutants (NESHAP) requirements in sufficient detail to clarify the source's compliance obligations.

Please contact Roger Kohn at (415) 972-3973 or kohn.roger@epa.gov if you have any questions concerning our comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Gerardo C. Rios".

Gerardo C. Rios
Chief, Permits Office
Air Division

US EPA Region 9 Comments
Proposed Title V Permit Renewals
California State Prison - Solano
Leer West
University of California - Davis
Insulfoam
Yolo County Central Landfill
CalPeak Power

1. All six of the sources are subject to New Source Performance Standards (NSPS) in 40 CFR Part 60, and/or National Emission Standards for Hazardous Air Pollutants (NESHAP) in 40 CFR Part 63. However it is not clear that the District has consistently incorporated the applicable NSPS and NESHAP requirements into the permits with sufficient specificity to clarify the source's compliance obligations. Specifically, the Leer West permit is clearly missing applicable requirements.

According to the statement of basis, the source is subject to three different NESHAP subparts: WWWW (reinforced plastic composites production), MMMM (surface coating of miscellaneous metal parts and products), and PPPP (surface coating of plastic parts and products). Yet there is only one condition in the permit for each of these subparts, stating that the permit holder must comply with the subpart. This high level of incorporation by reference does not satisfy the title V requirement that permits contain all applicable requirements. It is especially problematic for a complex NESHAP with various compliance options for various types of operations, such as Subpart WWWW. The result is that the sources' compliance obligations are unclear to both the permittee and the District, which complicates the task of inspecting the facility and enforcing the NESHAP requirements.

For a complex NESHAP like WWWW that covers different types of operations within an industry and has multiple compliance options, it is important to clarify which requirements apply and how the source will comply. Subpart WWWW has provisions that apply to open molding, centrifugal casting, continuous lamination/casting, and pultrusion operations in sections §63.5810, §63.5820, and §63.5830, respectively. Yet the statement of basis and permit do not specify which types of operations are in use at Leer West, or which of the WWWW compliance options the source intends to use.

When incorporating NSPS and NESHAP applicable requirements into title V permits, Districts must balance the need for specificity with the appropriate amount of detail from the applicable requirement. Emission limits, monitoring, and record-keeping requirements must be stated in the permit with sufficient detail to make compliance obligations clear to both the permittee and District inspectors. The District must develop permit conditions that reflect the operations at the source, contain the NESHAPs' core emission limits and monitoring, record-keeping, and reporting requirements, based on the compliance option(s) that the source has selected (for NESHAPs that have multiple compliance options). EPA and the District have discussed this issue. The District has

agreed to work with us to incorporate the NESHAP applicable requirements into the Leer West permit with an appropriate level of detail prior to permit issuance.

2. Since these six sources are subject to NSPS and/or NESHAP, the sources must also comply with the applicable NSPS and NESHAP General Provisions. Yet the permits do not contain any conditions with General Provision requirements, or only one high level citation, e.g., UC Davis. The District must add General Provision requirements to the final permits. While we don't believe the permits must contain a separate condition for each applicable General Provision, we also think one condition requiring the permittee to comply with the General Provisions of Part 60 (or 63), Subpart A is not sufficient because it is not clear which General Provisions apply. EPA recommends that the District determine which General Provisions apply to each source, and then add one condition (or two if a source is subject to both NSPS and NESHAP subparts) to each permit that requires compliance with "the following" General Provisions, then list the provisions that apply to the facility, citing by CFR citation and a phrase to briefly describe, e.g. 60.7(c), CEMS Reporting, etc.
3. Since Leer West and Insulfoam are subject to Compliance Assurance Monitoring (Part 64), the compliance certification must include additional language. Part 70 was revised when Part 64 was promulgated. One of the changes was to §70.6(c)(5)(iii), which now requires that annual compliance certifications "identify as possible exceptions to compliance any periods during which compliance is required and in which an excursion or exceedance as defined under part 64 of this chapter occurred." The District must add this language to one of the compliance certification conditions (conditions 104-107) of these two permits.
4. EPA appreciates the District's efforts to improve the practical enforceability of the compliance certification conditions in its title V permits, based on our past comments. However, as currently written, the revised certification language will allow all six of these sources to avoid having to certify compliance for some period of time in the first certifications they submit following permit issuance because the proposed permits state that the "twelve (12) month period will begin on the date that the Title V permit is issued." So hypothetically, if the most recent compliance certification submitted by a source is for a one year period that ended on October 15, 2010, and the final permit is issued on January 15, the language in the proposed permit would allow the source to avoid certifying compliance for the period from October 16 through January 14. While we don't know the specific dates that the most recent certifications for these six sources covered, it is clear that re-setting the reporting period to start with the permit issuance dates will create gaps in the compliance certifications. To avoid these gaps, and provide greater specificity with regard to the reporting periods and due dates, we recommend that the District base its compliance certification language on the last day that the source's most recent compliance certification covered. In the hypothetical example above, the permit should state that the compliance certification will cover the one year period from October 16 through October 15, and shall be postmarked by November 14th. Alternatively, if the District wants to retain the requirement that the certification periods start on the date of permit issuance, the District could require that the first compliance

certification submitted after permit issuance cover the period of time from the day after the end of a source's most recent certification period through the day before permit issuance, with a due date 30 days later. (As the District considers how to revise the certification language, we also note that a compliance certification cannot cover a period longer than one year, as this would be less stringent than the District's EPA-approved title V program requires.)

5. The statement of basis and proposed permit for the Yolo County Central Landfill are not clear on whether the source is subject to NSPS Subpart WWW (Municipal Solid Waste Landfills). The District has subsequently clarified that the source is subject to WWW, but that its current annual NMOC emissions are approximately 17 million megagrams per year. This rate is below the 50 megagram threshold in WWW that triggers the requirement to submit a collection and control system design plan. However, since the landfill's design capacity exceeds 2.5 million megagrams, the source is required to submit a NMOC emission rate report to the Administrator and the District annually, or every five years if the estimated NMOC emission rate as reported in the annual is less than 50 megagrams per year in each of the next five consecutive years. Subpart WWW requires that if the actual waste acceptance rate exceeds the estimated waste acceptance rate in any year reported in the five year estimate, a revised five year estimate must be submitted. See § 60.757(b). The District has explained that the source is currently projecting that its NMOC emissions for the next five years will be less than 50 megagrams per year, and therefore the source qualifies for this less frequent reporting requirement. The District must add a condition with this reporting requirement to the final permit.